



PATENT  
Attorney Docket No.: 17635-001410

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Douglas A. Spicer, *et al.*

Application No.: 09/992,534

Filed: November 16, 2001

For: MAGNETIC PLATE FOR  
BIOLOGICAL SEPARATIONS

Examiner: Not yet assigned

Art Unit: 1755

TRANSMITTAL LETTER –  
RESPONSE TO NOTICE OF MISSING  
PARTS

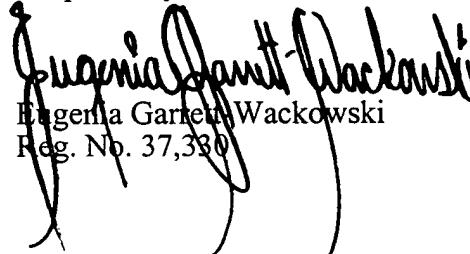
Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated December 7, 2001, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declarations
- 2) Powers of Attorney and Certificates of Assignee Under 37 C.F.R. § 3.73(b)
- 3) Petition for Extension of Time
- 4) Copy of Notice of Missing Parts

Respectfully submitted,

  
Eugenia Gartee Wackowski  
Reg. No. 37,330

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
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Tel: 925 472-5000  
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EGW:lls

WC 9038023 v1

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Please type a plus sign (+) inside this box → 

MH

#3 PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

MAR 18 2002

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TM &amp; TRADEMARKS

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/992,534
		Filing Date	November 16, 2001
		First Named Inventor	Spicer, Douglas A.
		Group Art Unit	1755
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission	1	Attorney Docket Number	17635-001410

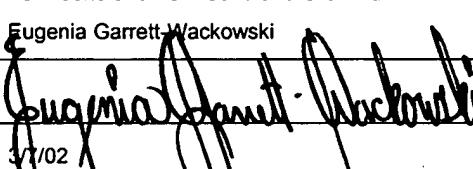
## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Powers of Attorney (2) and Certs. of Assignee Under 37 CFR 3.73(b) (2)	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

COPY OF PAPERS  
ORIGINALLY FILED

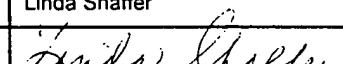
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Eugenia Garrett-Wackowski	
Signature		
Date	3/7/02	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

3/7/02

Typed or printed name	Linda Shaffer	
Signature		Date
	3/7/02	

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WC 9038026 v1

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<b>FEES TRANSMITTAL</b> <b>for FY 2001</b> <b>MAR 18 2002</b> <small>Patent fees are subject to annual revision.</small>		<b>Complete If Known</b>	
		Application Number	09/992,534
		Filing Date	November 16, 2001
		First Named Inventor	Spicer, Douglas A.
		Examiner Name	Not yet assigned
		Group Art Unit	1755
<b>TOTAL AMOUNT OF PAYMENT</b> <b>(\$)</b> <b>535</b>		<b>Attorney Docket No.</b> <b>17635-001410</b>	

<b>METHOD OF PAYMENT</b>				<b>FEE CALCULATION (continued)</b>																																																																																																																																																																																							
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <span style="border: 1px solid black; padding: 2px;">20-1430</span></p> <p>Deposit Account Name <span style="border: 1px solid black; padding: 2px;">Townsend and Townsend and Crew LLP</span></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 15%;">Large Fee Code</th> <th style="text-align: left; width: 15%;">Entity Fee (\$)</th> <th style="text-align: left; width: 15%;">Small Entity Fee Code (\$)</th> <th style="text-align: left; width: 15%;">Entity Fee (\$)</th> <th style="text-align: left; width: 40%;">Fee Description</th> <th style="text-align: right; width: 10%;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>65</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td>55</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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late filing fee or oath	65	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month	55	116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify)					
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\*\*or number previously paid, if greater; For Reissues, see above

<b>SUBMITTED BY</b>						<b>Complete (if applicable)</b>	
Name (Print/Type) <span style="border: 1px solid black; padding: 2px;">Eugenia Garrett-Wackowski</span>		Registration No. (Attorney/Agent) <span style="border: 1px solid black; padding: 2px;">37,330</span>		Telephone <span style="border: 1px solid black; padding: 2px;">925-472-5000</span>			
Signature <span style="border: 1px solid black; padding: 2px;">[Signature]</span>				Date <span style="border: 1px solid black; padding: 2px;">3/7/02</span>			

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/992,534	03/16/2001	Douglas A. Spicer	17635-001410

20350  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 4431  
FORMALITIES LETTER



\*OC00000007166464\*

Date Mailed: 12/07/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/20/2002 SZEWDIE1 00000017 201430 09992534

01 FC:201	370.00 CH
02 FC:205	65.00 CH
03 FC:203	45.00 CH

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$45.
  - \$45 for 5 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 480.**

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE